

# The President's Appeal to Congress in Railroad Controversy

On August 29, President Wilson appeared before the joint session of congress to explain the situation growing out of his efforts to settle the controversy between the officials of the railroads and the railroad brotherhoods, and asking for the enactment of legislation which would enable him to prevent or stop a strike.

President Wilson did not make his appeal to congress until after he had exhausted every effort to bring about an amicable solution of the railroad controversy. Congress responded to his appeal by the enactment of the Adamson eight-hour law, which was signed by him September 3. The text of the Adamson law will be found on another page. President Wilson's message to congress follows:

"Gentlemen of the Congress: I have come to you to seek your assistance in dealing with a very grave situation which has arisen out of the demand of the employes of the railroads engaged in freight train service that they be granted an eight-hour working day, safeguarded by the payment of one hour and a half of service for every hour of work beyond the eight.

"The matter has been agitated for more than a year. The public has been made familiar with the demands of the men and the arguments urged in favor of them, and even more familiar with the objections of the railroads and their counter-demand that certain privileges now enjoyed by their men and certain bases of payment worked out through many years of contest be reconsidered, especially in their relation to the adoption of an eight-hour day. The matter came up some three weeks ago, to a final issue, and resulted in a complete deadlock between the parties. The means provided by law for mediation of the controversy failed, and the means of arbitration, for which the law provides, were rejected. The representatives of the railway executives proposed that the demands of the men be submitted in their entirety to arbitration, along with certain questions of readjustment as to pay and conditions of employment, which seemed to them to be either closely associated with the demands or to call for reconsideration on their own merits.

## STRIKE BECOMES IMMINENT

"The men absolutely declined arbitration, especially if any of their established privileges were by that means to be drawn again in question. The law in the matter put no compulsion upon them. The 400,000 men from whom the demands proceeded had voted to strike if their demands were refused; the strike was imminent. It has been set for September 4 next. It affects the men who man the freight trains on practically every railway in the country. The freight service throughout the United States must stand still until their places are filled, if, indeed it should prove possible to fill them at all. Cities will be cut off from their food supplies, the whole commerce of the nation will be paralyzed, men of every sort and occupation will be thrown out of employment, countless thousands will, in all likelihood, be brought, it may be, to the very point of starvation, and a tragical national calamity, brought on, to be added to the other distresses of the time, because no basis of accommodation or settlement has been found.

## EFFORT AT MEDIATION

"Just so soon as it became evident that mediation under the existing law had failed and that arbitration had been rendered impossible by the attitude of the men, I considered it my duty to confer with the representatives of both the railroads and the brotherhoods, and myself offer mediation, not as an arbitrator, but merely as spokesman of the nation, in the interest of justice, indeed, and as a friend of both parties, but not as judge, only as the representative of 100,000,000 men, women and children who would pay the price, the incalculable price, of loss and suffering should these few men insist upon approaching and concluding the matters in controversy between them merely as employers employes, rather than as patriotic citizens of the United States looking before and after and accepting the larger responsibility which the public would put upon them.

## EIGHT-HOUR DAY LOGICAL

"It seemed to me, in considering the subject matter of the controversy, that the whole spirit

of the time and the preponderant evidence of recent economic experience spoke for the eight-hour day. It has been adjudged by the thought and experience of recent years a thing upon which society is justified in insisting as in the interest of health, efficiency, contentment and a general increase of economic vigor. The whole presumption of modern experience would, it seemed to me, be in its favor, whether there was arbitration or not and the debatable points to settle were those which arose out of the acceptance of the eight-hour day rather than those which affected its establishment. I, therefore, proposed that the eight-hour day be adopted by the railway managements and put into practice for the present as a substitute for the existing ten-hour basis of pay and service; that I should appoint, with the permission of congress, a small commission to observe the results of the change, carefully studying the figures of the altered operating costs, not only, but also the conditions of labor under which the men worked, and the operation of their existing agreements with the railroads, with instructions to report the facts as they found them to congress at the earliest possible day, but without recommendation; and that after the facts had been thus disclosed, adjustment should in some orderly manner be sought of all the matters now left unadjusted between the railroad managers and the men.

## CITES OPINION OF COURT

"These proposals were exactly in line, it is interesting to note, with the position taken by the supreme court of the United States when appealed to to protect certain litigants from the financial losses which they confidently expected if they should submit to the regulation of their charges and of their methods of service by public legislation. The court has held that it would not undertake to form a judgment upon forecasts, but could base its action only upon actual experience; that it must be supplied with facts, not with calculations and opinions, however scientifically attempted. To undertake to arbitrate the question of the adoption of an eight-hour day in the light of results merely estimated and predicted would be to undertake an enterprise of conjecture. No wise man could undertake it, or if he did undertake it could feel assured of his conclusions.

"I unhesitatingly offered the friendly services to the railway managers to see to it that justice was done the railroads in the outcome. I felt warranted in assuring them no obstacle of law would be suffered to stand in the way of their increasing their revenues to meet the expenses resulting from the change so far as the development of their business and of their administrative efficiency did not prove adequate to meet them. The public and the representatives of the public, I felt justified in assuring them, were disposed to see nothing but justice in such cases and were willing to serve those who serve them.

## BROTHERHOODS ACCEPT PLAN

"Representatives of the brotherhoods accepted the plan, but the representatives of the railroads declined to accept it. In the face of what I can not but regard as the practical certainty that they will be ultimately obliged to accept the eight-hour day by the concerted action of organized labor, backed by the favorable judgment of society, the representatives of the railway managements have felt justified in declining a peaceful settlement which would engage all the forces of justice, public and private, on their side to take care of the event. They fear the hostile influence of shippers, who would be opposed to an increase of freight rates (for which, however, of course, the public itself would pay); they apparently feel no confidence that the interstate commerce commission could withstand the objections that would be made. They do not care to rely upon the friendly assurances of the congress or the President; they have thought it best that they should be forced to yield, if they must yield, not by counsel, but by the suffering of the country. While my conferences with them were in progress, and when, to all outward appearances these conferences had come to a standstill, the representatives of the brotherhoods suddenly acted and set the strike for September 4.

"The railway managers based their decision to reject my counsel in this matter upon their

conviction that they must, at any cost to themselves or to the country, stand firm for the principle of arbitration, which the men had rejected. I based my counsel upon the indisputable fact that there was no means of obtaining arbitration. The law supplied none; earnest efforts at mediation had failed to influence the men in the least. To stand firm for the principle of arbitration and yet not get arbitration seemed to me futile, and something more than futile, because it involved incalculable distress to the country, and consequences in some respects worse than those of war, and that in the midst of peace.

## ARBITRATION NOT PRACTICABLE NOW

"I yield to no man in firm adherence, alike of conviction and of purpose, to the principle of arbitration in industrial disputes; but matters have come to a sudden crisis in this particular dispute and the country has been caught unprovided with any practicable means of enforcing that conviction in practice (by whose fault we will not now stop to inquire). A situation had to be met whose elements and fixed conditions were indisputable. The practical and patriotic course to pursue, as it seemed to me, was to secure immediate peace by conceding the one thing in the demands of the men, which society itself and any arbitrators who represented public sentiment were most likely to approve, and immediately lay the foundations for securing arbitration with regard to everything else involved. The event has confirmed that judgment. I was seeking to compose the present in order to safeguard the future; for I wished an atmosphere of peace and friendly co-operation in which to take counsel with the representatives of the nation with regard to the best means for providing so far as it might prove possible to provide, against the recurrence of such unhappy situations in the future—the best and most practicable means of securing calm and fair arbitration of all industrial disputes in the days to come. This is assuredly the best way of indicating a principle, namely, having failed to make certain of its observance in the present to make certain of its observance in the future. But I could only propose. I could not govern the will of others, who took an entirely different view of the circumstances of the case, who even refused to admit the circumstances to be what they have turned out to be.

## RECOMMENDS LEGISLATION

"Having failed to bring the parties to this critical controversy to an accommodation, therefore, I turn to you, deeming it clearly our duty, as public servants, to leave nothing undone that we can do to safeguard the life and interests of the nation. In the spirit of such a purpose I earnestly recommend the following legislation:

"First, immediate provision for the enlargement and administrative reorganization of the interstate commerce commission along the lines embodied in the bill recently passed by the house of representatives and now awaiting action by the senate; in order that the commission may be enabled to deal with the many great and various duties now devolving upon it with a promptness and thoroughness which are, with its present constitution and means of action, practically impossible.

"Second, the establishment of an eight-hour day as the legal basis alike of work and wages in the employment of all railroad employes, who are actually engaged in the work of operating trains in interstate transportation.

"Third, the authorization of the appointment by the President of a small body of men to observe the actual results in experience of the adoption of the eight-hour day in railway transportation alike for the men and for the railroads, its effect in the matter of operating costs, in the application of the existing practices and agreements to the new conditions and in all other practical aspects, with the provision that the investigators shall report their conclusions to the congress at the earliest possible date, but without recommendation as to legislative action, in order that the public may learn from an unprejudiced source just what accomplishments have ensued.

## HIGHER FREIGHT RATES

"Fourth, explicit approval by the congress of the consideration by the interstate commerce commission of an increase of freight rates to meet such additional expenditures by the railroads as may have been rendered necessary by the adoption of the eight-hour day, and which have not been offset by administrative readjustments and economies, should the facts disclosed justify the increase.

"Fifth, an amendment of the existing federal statute which provides for the mediation, conciliation and arbitration of such controversies as